

REFERENCE TITLE: passengers; pickup truck beds; prohibition

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

SB 1439

Introduced by
Senator Melvin

AN ACT

AMENDING TITLE 28, CHAPTER 3, ARTICLE 15, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-913; RELATING TO TRANSPORTING PASSENGERS IN TRUCKS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 28, chapter 3, article 15, Arizona Revised Statutes,
3 is amended by adding section 28-913, to read:

4 28-913. Transporting passengers in or on a truck bed;
5 exceptions; definitions

6 A PERSON DRIVING A PICKUP TRUCK OR MOTORTRUCK ON A HIGHWAY SHALL
7 NOT TRANSPORT A PERSON IN OR ON THE BED OF THE PICKUP TRUCK OR MOTORTRUCK.

8 B. THIS SECTION DOES NOT:

9 1. APPLY IF THE PERSON IN OR ON THE BED OF THE PICKUP TRUCK OR
10 MOTORTRUCK IS BEING TRANSPORTED IN AN EMERGENCY RESPONSE SITUATION. FOR THE
11 PURPOSES OF THIS PARAGRAPH, "EMERGENCY RESPONSE SITUATION" MEANS AN INSTANCE
12 IN WHICH MEASURES ARE NECESSARY TO ASSIST AN INJURED PERSON OR TO PREVENT
13 INJURY OR DEATH TO A PERSON.

14 2. APPLY IF THE PERSON IN OR ON THE BED OF THE PICKUP TRUCK OR
15 MOTORTRUCK IS BEING TRANSPORTED IN AN ENCLOSED CAMPER OR CAMPER SHELL THAT
16 PREVENTS THE PERSON FROM BEING DISCHARGED FROM THE BED OF THE PICKUP TRUCK OR
17 MOTORTRUCK.

18 3. APPLY IF THE PERSON IN OR ON THE BED OF THE PICKUP TRUCK OR
19 MOTORTRUCK IS BEING TRANSPORTED IN AN ORGANIZED PARADE.

20 4. APPLY TO A PICKUP TRUCK OR MOTORTRUCK THAT IS ON PRIVATE PROPERTY.

21 5. APPLY IF A PERSON IS DRIVING THE PICKUP TRUCK OR MOTORTRUCK AT OR
22 BELOW A POSTED SPEED LIMIT OF THIRTY-FIVE MILES PER HOUR OR LESS.

23 6. APPLY IF THE PICKUP TRUCK OR MOTORTRUCK IS OWNED BY A FARMER OR
24 RANCHER AND IS USED EXCLUSIVELY WITHIN THE BOUNDARIES OF LANDS OWNED OR
25 MANAGED BY THE FARMER OR RANCHER, INCLUDING THE INCIDENTAL USE OF THE PICKUP
26 TRUCK OR MOTORTRUCK ON NOT MORE THAN ONE MILE OF HIGHWAY BETWEEN ONE PART OF
27 THE FARM OR RANCH AND ANOTHER PART OF THAT FARM OR RANCH.

28 C. FOR THE PURPOSES OF THIS SECTION:

29 1. "MOTORTRUCK" MEANS A MOTOR VEHICLE THAT IS EQUIPPED WITH AN OPEN
30 BOX-TYPE BED OR OPEN FLATBED.

31 2. "PICKUP TRUCK" MEANS A MOTORTRUCK THAT HAS A MANUFACTURER'S GROSS
32 VEHICLE WEIGHT RATING OF LESS THAN TEN THOUSAND ONE HUNDRED ONE POUNDS, THAT
33 HAS AN UNLADEN WEIGHT OF LESS THAN SIX THOUSAND ONE POUNDS AND THAT IS
34 EQUIPPED WITH AN OPEN BOX-TYPE BED THAT IS LESS THAN NINE FEET IN LENGTH.